



Interstate Shellfish Sanitation Conference  
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February 2, 2005

Country of Origin Labeling Program  
Room 2092-S  
Agricultural Marketing Service  
USDA STOP 0249  
1400 Independence Avenue SW  
Washington DC 20250-0249

*Re: Docket No. LS-03-04 – addendum to comments submitted December 21, 2004.*

The Interstate Shellfish Sanitation Conference (ISSC) appreciates the opportunity to provide comment on the USDA interim final rule for Mandatory Country of Origin Labeling of Fish and Shellfish. The ISSC was formed in 1982 to foster and promote shellfish sanitation through the cooperation of state and federal control agencies, the shellfish industry, and the academic community.

The existing definition of “farm-raised” shellfish currently in the rule appears to be too restrictive. As currently defined, many products that have a long history of being produced and marketed as farmed shellfish would be labeled “wild.” The ISSC has concluded that defining molluscan shellfish under the COOL rules is difficult.

Shellfish are animals that grow in the open marine environment, where natural spawning and set of shellfish can and does occur. It is a common practice on all coasts to collect “wild” spat, and then plant it out on “controlled” or “managed” beds. Many growers, particularly on the West Coast, supplement the wild caught seed with hatchery seed, and grow it to maturity in the same growing area. In this case, it is difficult to determine which category would be most applicable.

Also, a labeling for molluscan shellfish becomes highly problematic for processors. Many processors purchase products from multiple local sources that include both wild and farmed shellfish. Processors would be required to switch from the “Farmed” labels to “Wild” labels multiple times during a single day.

Establishing requirements that provide for labeling information for finfish, shrimp, and other motile species, is understandable. Differentiation and compliance is possible with these types of motile species. Attempting to apply this kind of standard to a relatively immobile species that is grown in a “wild” environment is far more problematic.

The ISSC suggests an exemption for *molluscan shellfish*. This exemption would not require labeling as either “Wild” or “Farmed”. Country of origin labeling would remain as a requirement. This exemption for molluscan shellfish in the Rule would significantly ease the unintended burden that has been placed on our industry by an inappropriate definition.

Thank you for considering these comments. We look forward to working with the USDA to find the best possible solution to this situation.

Sincerely,

A handwritten signature in black ink that reads "Ken B. Moore". The signature is written in a cursive, slightly slanted style.

Ken B. Moore  
Executive Director